

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE CITY OF BLAINE, *et al.*,

Plaintiffs,

v.

GOLDER ASSOCIATES, INC., *et al.*,

Defendants.

No. C03-0813L

ORDER DENYING DEFENDANT'S
MOTION FOR ADDITIONAL
DISCOVERY

This matter comes before the Court on defendant Golder Associates, Inc.'s "Motion to Permit Discovery re Damages." Dkt. # 297. Having reviewed the memoranda, declarations, and exhibits submitted by the parties, the Court finds that defendant has not shown good cause to reopen discovery. In fact, it is difficult to discern what triggered defendant's belated attempt to conduct discovery regarding a damage claim that has not changed in any material respect since December 2004.

As recognized by plaintiffs, they have a duty to supplement discovery if there are any material changes regarding the scope or amount of damages they intend to claim at trial. If such supplemental disclosures are made and if defendant believes that further discovery is necessary, the parties shall confer in an attempt to reach agreement regarding the scope of the

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1 additional discovery before filing a motion to compel or motion for protective order.¹

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3 For all of the foregoing reasons, defendant's motion to compel additional
4 discovery is DENIED.

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6 DATED this 12th day of December, 2005.

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9 Robert S. Lasnik
10 United States District Judge
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25 ¹ Defendants' complete rejection of plaintiffs' compromise offer is not a good faith effort to reach
26 agreement.